UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,321	06/13/2000	Brandon William Porter	TM00-003.US	7391

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EXAMINER
BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
2143	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.		Applicant(s)
	09/592,321		PORTER ET AL.
	Examiner		Art Unit
	Alina N Boutah		2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/3/03* .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☒ The proposed drawing correction filed on *03 December 2003* is: a)☒ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a)☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Response to Amendment

This action is in response to Applicant's amendment received December 3, 2003. Claims

1-19 are pending in the present application.

Drawings

Applicant has amended the specification to change the description of figures 1 and 4.

The objection to the drawing is now withdrawn.

Specification

Applicant has amended the specification to correct minor informalities. The objection is

now withdrawn.

Claim Objections

Based on Applicant's argument, the Patent Office hereby withdraws the objection to the

specification, and also claims 1, 2 and 11-13.

Claim Rejections - 35 USC § 112

Based on Applicant's argument and amendment (claim 14), the 112 rejections of claims

1, 11, 14 and 15 are now withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1-8, 10-13, and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over IETF RFC 2109 in view of USPN 6,154,528 issued to Bennertt, III et al. (hereby Bennett).

(Amended) Regarding claim 1, the IETF teaches a method of using a telephone

identifying information to preserve state for applications over a telephone interface using a first

computer, the method comprising: selecting a state comprising of a plurality of cookies (State

and Session); and automatically providing a cookie to an application using a first computer, the

providing responsive to receiving a request over an interface to initiate an application (Abstract;

State and Sessions). However, the IETF fails to explicitly teach the state being associated with a

user's profile; the interface being a telephone interface; and identifying a user profile using the

first computer and the telephone identifying information.

Bennett teaches identifying a user profile using the first computer and the telephone

identifying information (col. 1, lines 33-44);

selecting a state associated with the user profile (col. 3, lines 28-31; lines 55-65);

based on a policy for a voice portal (figure 1, no 15), automatically providing a subset of

the plurality of cookies to the application using the first computer, wherein the providing is

responsive to receiving a request over the telephone interface to initiate an application, and

wherein the policy is dependent on needs of the application on the voice portal, first decisions made by at least one operator of the voice portal, and second decisions made by users of the voice portal (Abstract; col. 2, lines 24-52; col. 3, line 25 to col. 4, line 5).

At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of IETF with the teaching of Bennett by utilizing cookies so that the service provider would not be required to store and maintain user's profiles (col. 2, lines 45-52), thus enhancing the system's efficiency.

Regarding claim 2, the IETF teaches the method of claim 1, wherein the automatically providing comprises initiating the application on the first computer by retrieving the application using a HTTP request from a server and including the HTTP request at least one "cookie" header corresponding to at least one cookie in the subset of the plurality of cookies (4.2.1).

Regarding claim 3, the IETF teaches the method of claim 1, wherein the application has a corresponding uniform resource indicator (URI) and wherein the subset of the plurality of cookies is selected according to applicability of each cookie in the plurality of cookies to the URI (page 1, 3rd paragraph under Terminology; 4.3.4).

Regarding claim 4, the IETF teaches the method of claim 3, wherein the applicability of a cookie for inclusion in the subset is determined according to IETF RFC 2109 (RFC 2109).

Regarding claim 5, the IETF teaches the method of claim 3, wherein the applicability of a cookie for inclusion in the subset is determined according to policies in a state management standard (page 2, under "State and Session").

Regarding claim 6, the IETF teaches the method of claim 1, further comprising storing a new cookie in the plurality of cookies, the new cookie received from the application as part of a hypertext transfer protocol (HTTP) request for a uniform resource indicator (URI) (4.3.3).

Regarding claim 7, the IETF teaches the method of claim 6, wherein the storing occurs responsive to verification of the new cookie by the first computer according to IETF RFC 2109 (RFC 2109).

Regarding claim 8, the IETF teaches the method of claim 6, wherein the storing occurs responsive to verification of the new cookie by the first computer according to policies in a state management standard (page 2, under "State and Session").

Regarding claim 10, the IETF fails to teach the method of claim 1, wherein the identifying comprises creating a user profile on the first computer. Bennett teaches creating a user profile on the first computer (col. 2, lines 37-40). At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of IETF with the teaching of Bennett by utilizing cookies so that the service provider would not be required to store and maintain user's profiles (col. 2, lines 45-52).

Regarding claim 11, this is similar to claim 1, therefore is rejected under the same rationale.

Regarding claim 12, the IETF fails to teach the apparatus of claim 11, wherein the apparatus supports a second application, the application provided by a first legal entity and the second application provided by a second legal entity. Bennett teaches a first and second legal entities providing a first and second application (col. 6, lines 29-31). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ and first and second legal entities in order to allow the system to handle multiple users and multiple telephones, thus expanding the systems capability.

Regarding claim 13, the IETF fails to teach the apparatus of claim 12, wherein the plurality of cookies includes at least a first cookie set by the second application, and wherein the subset of the plurality of cookies does not include at least a first cookie. Bennett teaches a first cookie set by the second application and wherein the subset of the plurality of cookies does not include at least a first cookie (col. 7, lines 5-16). At the time the invention was made, one of ordinary skill in the art would have been motivated to incorporate the teaching of Bennett into the teaching of the IETF in order to prevent an application provided by the first cookie from accessing the application provided by the second cookie, therefore, providing security for the system.

Claim 15 is similar to claim 1, therefore is rejected under the same rationale.

Regarding claim 16, the IETF teaches the computer program of claim 15, wherein the providing comprises including the subset of the plurality of cookies as part of an HTTP request to retrieve the application from a computer system (4.2.1).

Regarding claim 17, the IETF teaches the computer program of claim 16, wherein each cookie in the plurality of cookies associated with a corresponding domain, wherein the HTTP request include an HTTP request host and wherein the subset of the plurality of cookies comprises each cookie in the plurality of cookies with a corresponding domain similar to the HTTP request host (4.2.1).

Regarding claim 18, the IETF fails to teach the computer program of claim 15, wherein the second set of instruction further comprises a set of instructions for creating a new user profile responsive to receiving telephone identifying information not associated with an existing user profile. Bennett teaches a set of instructions for creating a new user profile responsive to receiving telephone identifying information not associated with an existing user profile (col. 1, lines 33-44). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a set of instructions for creating a new user profile in order to allow new user to access to the application, thus expanding the system's capability.

Regarding claim 19, the IETF fails to teach the computer program of claim 15, wherein the second set of instruction further comprises a set of instructions for creating a temporary user profile responsive to receiving telephone identifying information not associated with an existing

user profile and wherein the computer program further comprises a fifth set of instructions for deleting the temporary user profile receiving a signal from the telephone interface signaling an end of a telephone call. Bennett teaches a set of instructions for creating a temporary user profile responsive to receiving telephone identifying information not associated with an existing user profile and wherein the computer program further comprises a fifth set of instructions for deleting the temporary user profile receiving a signal from the telephone interface signaling an end of a telephone call (col. 3, lines 28-36). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a set of instructions for creating and deleting a temporary user profile in order to allow guest users to access the computer system and deleting the guest user's profile in order to make room for other users, thus increasing the system's efficiency.

Claims 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over IETF RFC 2109 in view of USPN 6,154,528 issued to Bennertt, III et al. (hereby Bennett) in further view of USPN 5,799,063 issued to Krane.

Regarding claim 9, the IETF and Bennett fail to expressly teach the method of claim 1, wherein the method further comprises verifying a password for the user profile received over the telephone interface prior to the selecting. Krane teaches verifying a password for the user profile received over the telephone interface prior to the selecting (col. 6, lines 4-17). At the time the invention was made, one of ordinary skill in the art would have been motivated to incorporate

the teaching of Krane into the teachings of the IETF and Bennett in order to prevent unwanted

user from accessing another user's profile, therefore providing security for the system.

(Amended) Regarding claim 14, the IETF teaches a computer system to preserve state for

applications over a telephone interface, the computer system comprising: a state comprising of

plurality of cookies and automatically providing a subset of cookies over the internet when

retrieving an application (Abstract; State and Sessions).

The IETF fails to teach a control subsystem including at least one program for identifying

a user profile according to the telephone identifying information, the user profile having a

corresponding state, and automatically providing a subset of the plurality of cookies over the

internet interface when retrieving the application.

Bennett teaches a control subsystem including at least one program for identifying a user

profile according to the telephone identifying information (col. 1, lines 33-44), the user profile

having a corresponding state (col. 3, lines 28-31; lines 55-65), and based on a policy for the

control subsystem automatically providing a subset of the plurality of cookies when retrieving

the application, wherein the policy is dependent on needs of the application on the control

subsystem, first decisions made by at least one operator of the control subsystem, and second

decisions made by users of the control subsystem (Abstract; col. 1, lines 11-31; col. 2, lines 24-

52; col. 3, line 25 to col. 4, line 5).

IETF and Bennett fails to teach an internet interface including at least one program to

access a second computer system, the second computer system including an application; and a

telephone interface to send and receive audio signals to and from the telephone and to receive a

telephone identifying information corresponding to the telephone; and a control subsystem to control the internet interface and the telephone interface.

Krane teaches an internet interface including at least one program to access a second computer system, the second computer system including an application (figure 1); and a telephone interface to send and receive audio signals to and from the telephone and to receive a telephone identifying information corresponding to the telephone (figure 1); and a control subsystem to control the internet interface and the telephone interface (figure 1).

At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of the IETF, Bennett and Krane by utilizing cookies so that the service provider would not be required to store and maintain user's profiles (Bennett: col. 2, lines 45-52), and employing an internet interface a telephone interface, and a control subsystem in order to allow developers to store and access user's state information, thus facilitating in managing user's profile information.

Response to Arguments

Applicant's arguments filed December 3, 2003 have been fully considered but they are not persuasive.

In response to Applicant's argument that neither the IETF nor Bennett teach or disclose the recited policy for the voice portal, which is determined based on decisions from the operator, the user, and the application site, the Patent Office respectfully submits that this limitation is taught in the abstract; col. 1, lines 11-31; col. 2, lines 24-52; col. 3, line 25 to col. 4, line 5 of the Bennett reference. Specifically, Bennett teaches a telephonic voice response system that accepts

input from a caller and routing caller to specific operator to provide caller information (col. 1,

lines 11-31). In this case, the system has similar function as the claimed voice portal as specified

in the invention. Therefore the rejections of claims 1-19 are sustained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Alina N Boutah whose telephone number is (703) 305-5104. The

examiner can normally be reached on Monday-Thursday (9:00 am-7:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANB

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